



**CITY OF LODI
COUNCIL COMMUNICATION**

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AGENDA TITLE: Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$98,008.45).

MEETING DATE: April 18, 2007 City Council Meeting

PREPARED BY: City Attorney's Office

RECOMMENDED ACTION: That the City Council approve for payment expenses incurred by outside Counsel/Consultants related to the Environmental Abatement Litigation in the total amount of \$79,960.10, and various other cases being held by Outside Counsel in the amount of \$18,048.35.

BACKGROUND INFORMATION: Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; Kronick, Moskovitz, Tiedemann & Girard; and miscellaneous vendors, for services incurred relative to the Environmental Abatement Program litigation, and various other matters that are currently outstanding and need to be considered for payment.

Folger Levin & Kahn - Invoices Distribution				Water Acct.
Matter No.	Invoice No.	Date	Description	Amount
8002	100826	2/28/2007	People v M&P Investments	17,715.15
8003	100827	2/28/2007	Hartford Insurance Coverage Litigation	194,989.50
			Contingency Fee Amount Savings	-144,989.50
8008	100825	2/28/2007	City of Lodi v. Envision Law Group	11,220.30
				<u>-281.00</u>
			Total	\$78,654.45

Kronick Moskovitz Tiedemann & Girard - Invoices Distribution				
Matter No.	Invoice No.	Date	Description	100351.7323
11233.026	231521	03/25/07	Lodi First v. City of Lodi	9,174.36
11233.027	231521	03/25/07	Citizens for Open Govt.v.Col	414.73
11233.029	231521	03/25/07	AT&T v. City of Lodi	2,387.46
11233.032	231521	03/25/07	CFD Formation	5,026.50
			Total	\$17,003.05

APPROVED:


Blair King, City Manager

Kronick Moskowitz Tiedemann & Girard - Invoices Distribution

Matter No.	Invoice No.	Date	Description	100351.7323
11233.019	228819	10/25/06	Claims by Environmental Consult.	304.00
11233.026	228819	03/25/07	Lodi First v. City of Lodi	114.10
11233.027	228819	03/25/07	Citizens for Open Govt.v.Col	551.05
11233.029	228819	03/25/07	AT&T v. City of Lodi	76.15
Total				\$1,045.30

MISCELLANEOUS			Water Account
Invoice No.	Date	Description	Amount
868801	3/16/2007	Harry A. Cannon, Inc.	576.15
20062531	3/28/2007	Legalink, Inc.	729.50
			\$ 1,305.65

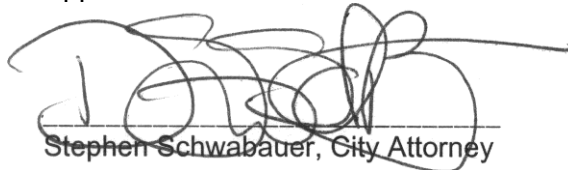
FISCAL IMPACT: Expenses in the amount of \$18,048.35 will be paid out of the General Fund with \$9,589.09 of that amount billed to Walmart for City's defense of the Citizens for Open Government v. City of Lodi litigation. The remaining expenses will be paid out of the Water Fund.

FUNDING AVAILABLE: Water Fund \$ 79,960.10
General Fund \$ 18,048.35

Approved:

Approved:


Kirk Evans, Budget Manager


Stephen Schwabauer, City Attorney